

REMARKS

Undersigned Applicants' representative wishes to thank Examiner Boykin for the helpful and courteous discussion regarding the merits of this application held on August 18, 2004. The substance of this discussion will be expanded upon in the remarks made below. The suggestions made by the Examiner in both the interview and the Office Action have been adopted, therefore obviating the indicated rejections.

Further, Applicants wish to thank Examiner Boykin for indicating that Claims 2, 3, 4, 17-22 would be allowable if written in independent form. It is believed that the present amendment to the claims, incorporating the limitations of Claim 2 into Claim 1 renders the above claims allowable.

The objection of Claims 2-4 and 17-22 is respectfully traversed. The present amendment to Claim 1, obviates the objection. The objected claims now depend on an allowable claim. Applicants respectfully request the withdrawal of the objection.

The rejection of Claim 1 under 35 U.S.C. 102(e) as being anticipated by US Patent 6,365,706 to Ma, is respectfully traversed.

The present amendment to Claim 1 incorporating the limitations of the allowable Claim 2, obviates the rejection. Applicant respectfully requests the withdrawal of the rejection.

The rejection of claims 5-16 and 23-24 under 35 U.S.C. 102(e) as been anticipated by US Published Application 20040006198 is respectfully traversed.

As pointed out to Examiner Boykin in the above mentioned interview the cited prior art reference neither discloses nor suggests the polymerization of L-aspartic acid in a supercritical fluid, subject matter claimed in the present application as currently amended. Further, the cited prior art reference is inappropriate because the present application has an effective filing date earlier than the cited prior art reference. Thus, the present application claims priority to application serial number 09/776,897, filed February 6, 2001, now US Patent 6,495,658, while the cited prior art reference was filed May 7, 2003, claiming priority to provisional application 60/378,915, filed May 7, 2002. Accordingly, the present application has an effective filing date earlier than the cited

Appl. No.: 10/698,411
Amdt. Dated 08/19/2004
Reply to Office action of 07/15/2004

prior art reference. A copy of the above identified US Patent 6,495,658 is attached herewith for convenience.

A marked-up sheet of the amended claim is attached herewith.

Having complied with the suggestions made by Examiner Boykin, Applicants submit that the application is now ready for allowance and early notification to that effect will be greatly appreciated.

Customer No.: 28727

Respectfully submitted,



Stamatis Mylonakis, Ph.D.
Registration No. 42,921
Tel.: (301) 527-1531

Appl. No.: 10/698,411
Amdt. Dated 08/19/2004
Reply to Office action of 07/15/2004

MARKED-UP SHEET

Claim1. A method for preparing a polysuccinimide derivative, which comprises, subjecting the polysuccinimide to a ring-opening reaction; wherein said polysuccinimide is formed by polymerization of L-aspartic acid in a supercritical fluid.